In the High Court of Uttarakhand at Nainital.

Civil Writ Petition No. 1552/2002(S/B)

Chandra Singh Gwal, S/o Sri Harak Singh
Upper Sachiv, Uttarakhand Shiksha Evam
Pariksha Parishad, Ramnagar
Nainital ……Petitioner.

Vs.

State of Uttaranchal and 4 others …… Respondents.

Sri M.S. Pal, leaned counsel for the petitioner.
Sri N.C. Gupta, learned Standing Counsel for the respondents.

Coram: Hon'ble Mr. Justice Irshad Hussain, J.
Hon'ble Mr. Justice J.C.S. Rawat, J.

Dated 2nd September 2004.

P.C

The petition was filed against the suspension order which was passed on 31-10-2002 in contemplation of a departmental inquiry. Till date no inquiry had been initiated as stated to by the leaned Standing Counsel and in view of it, it is evident that the suspension order will not be enforced by the respondent-authorities. Since no departmental inquiry had been started, it appear that the suspension order was passed without any material and the same therefore can not be legally sustained.

In view of above the petition is allowed and the suspension order dated 31-10-2002 (Annexure-1) passed by the respondents is hereby quashed. The petition is disposed of accordingly.

(J.C.S. Rawat, J.) **(Irshad Hussain, J.)**

ISB

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